

REMARKS

Page 2 of the Notice (PTOL-324) states with respect to the 10/27/2008 reply that “Applicant is required to provide arguments pointing out the specific distinctions believed to render the independent claim 31, including any newly presented claims, patentable over any applied references.”

Applicant respectfully submits that this notice is improper because the 10/27/2008 reply in fact points out how claim 31 distinguishes over the applied references.

For example, page 21 of the 10/27/2008 reply indicates that claim 1 has been amended to recite providing first information to a portable display device in response to an information request received from the portable display device if the information server receives electronic ticket information from the portable display device and confirms that the passenger has the right to use the vehicle, and providing different, second information to the portable display device if the information server receives no electronic ticket information from the portable display device. The response also points to support for this amendment in the detailed description. The response notes that the applied references do not disclose or suggest this feature and further notes that other claims (including claim 31) have been amended similarly to claim 1. Consequently, the 10/27/2008 reply points out distinctions believed to render the claims (including claim 31) patentable.

More specifically, claim 31 was rejected under 35 U.S.C. Section 103(a) as allegedly being made “obvious” by a proposed combination of Sehr (U.S. Patent No. 6,609,658) in view of Ritter (U.S. Patent No. 2002/0094829).

Sehr discloses a passenger card that stores an electronic ticket. The card is described in col. 6 of Sehr as “[displaying] data relating to tickets, passengers and system entities.” Sehr does not disclose or suggest using the passenger card to access information services provided by an information server in a vehicle. The office action makes reference to Ritter to supply these features.

Figure 1 of Ritter shows that passengers of a bus 35 have personal terminals 4 (e.g., a mobile telephone or a palmtop or laptop computer), each of which contains an identification module in which user-specific data is stored, as well as a contact-less interface over which a radio connection can be established with transceivers 31-32. The transceivers are connected with

a central data processing means 2 and a radio receiver 21 is connected to the central data processing means. Ritter describes that when the passenger 36 is seated at his seat, he can receive data (such as tourist information, advertising, music, entertainment programs) over the transceivers 31 and have them reproduced or processed on his personal terminal 4. See, e.g., Ritter, paragraph [0041].

Claim 31 recites an information server that includes a first checking means for checking a using condition, received from an information display terminal, with a using condition stored in a memory section of the information server. The information server further includes a communication controlling section which enables the information display terminal to access information services provided by the information server only in a case where the first checking means judges that both using conditions are identical to each other. The information server provides first information to the information display terminal in response to an information request received from the information display terminal if the communication controlling section judges that both using conditions are identical to each other and the information server provides different, second information to the information display terminal if the communication controlling section judges that both using conditions are not identical to each other. Applicant respectfully submits that Ritter does not disclose providing different information to an information display terminal on the basis of whether a using condition received by an information server from the information display terminal is judged to be identical with a using condition stored in a memory section of the information server.

Consideration of the 10/27/ 2008 reply is believed to appropriate and is respectfully requested.

Respectfully submitted,

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